

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

SOUTHERN

 DISTRICT OF
 United States District Court
 Southern District of Texas
 FILED

TEXAS

UNITED STATES OF AMERICA

V.

SEP 04 2018

CRIMINAL COMPLAINT

Hector VALENCIA, YOB: 1977 USC - 1

Edward GARZA, YOB: 1967 USC - 2

Clerk of Court

CASE NUMBER: 7:18mj1846

SEALED

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 12/14/2016 and 02/02/2017 in Hidalgo county, in the Southern District of Texas defendant(s) did, (Track Statutory Language of Offense)

Knowingly and Intentionally Conspire to possess with Intent to Distribute 5 kilograms or more of Cocaine, a Schedule II Controlled Substance.

in violation of Title 21 United States Code, Section(s) 846

I further state that I am a(n) DEA Special Agent and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof: ☒ Yes ☐ No

*Approved for filing
reprint 9/4/2018*

Signature of Complainant
Steven Picone, DEA Special Agent

Sworn to before me and subscribed in my presence,

September 4, 2018
Date

At McAllen, Texas
City and State

S. Scott Hacker, U.S. Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer

Attachment

On December 13, 2016, DEA McAllen Agents received information from a Confidential Source (hereinafter CS #1) who advised that Edward GARZA a/k/a "HUAWIS" and Hector VALENCIA were overseeing the sale of twelve (12) kilograms of cocaine belonging to Guillermo MORALES a/k/a "DON GIO" just days prior to MORALES' arrest on November 4, 2016. VALENCIA and GARZA received an unknown amount of payment to oversee the sale of the cocaine. CS#1 advised that MORALES instructed GARZA to receive the cocaine in the Fort Worth, Texas area and sell it on behalf of MORALES. The cocaine originated from the Rio Grande Valley, Texas area and was sold in the Fort Worth, Texas area.

After MORALES' arrest, GARZA remained in the Fort Worth, Texas area to continue selling the cocaine. CS#1 advised Agents that GARZA was having a hard time selling the cocaine so VALENCIA traveled from the Rio Grande Valley, Texas area to assist GARZA. CS#1, acting on behalf of Agents, attempted to obtain the cocaine from GARZA and VALENCIA, but was unsuccessful. On December 14, 2016, DEA Fort Worth utilized a second confidential source (hereinafter CS #2) to meet with VALENCIA and GARZA to obtain drug proceeds derived from the sale of the cocaine. On that same date, after multiple recorded telephone calls, VALENCIA and GARZA agreed to meet with CS #2 at the Gander Mountain Store located at 459 East Interstate Highway 20 in Arlington, Texas. DEA Fort Worth Agents established surveillance and observed VALENCIA and GARZA, arrive in a white Ford Focus bearing Texas license plates HFW-2841 and meet with CS #2.

At that time, GARZA exited the Ford Focus and retrieved a black duffle bag from the trunk and placed it into the rear driver's side of CS #2's vehicle. Agents observed GARZA get back into the Ford Focus where VALENCIA was waiting and they departed the location. After the meeting, DEA Fort Worth Agents met with CS#2 and seized the U.S. currency. It was later determined that the black duffle bag contained \$92,000.00 USC which derived from the sale of cocaine.

On January 24, 2017, CS #1 advised that VALENCIA and GARZA were in possession of additional drug proceeds from the sale of the original twelve (12) kilograms of cocaine. CS #1 advised that VALENCIA would be traveling from the Rio Grande Valley, Texas area to Fort Worth, Texas around February 2, 2017. CS #1 advised that GARZA was still in Fort Worth, Texas in possession of the drug proceeds derived from the sale of the remaining kilograms of cocaine. On February 2, 2017, CS#1 conducted multiple recorded telephone calls to VALENCIA who agreed to meet with an undercover (hereinafter UC) at the Chevron gas station located at 801 N. Main Street in Mansfield, Texas.

Agents established surveillance and observed GARZA and VALENCIA arrive at the Chevron. Agents confirmed that VALENCIA and GARZA were in the same Ford Focus observed on December 14, 2016. Once the UC arrived, VALENCIA removed a green and yellow Pampers box containing from the Ford Focus and provide it to the UC. After the meeting, DEA Fort Worth Agents met with the UC and confirmed that the Pampers box contained multiple bundles of U.S. currency wrapped in cellophane. Agents seized the U.S. currency and confirmed that the diaper box contained \$158,030.00 USC. In total, VALENCIA and GARZA provided approximately \$250,020.00 USC, which derived from the sale of kilogram quantities of cocaine.

\$92,000.00 USC

On January 24
proceeds from